

202 Sheppard Avenue West – Official Plan Amendment and Zoning By-law Amendment application– Request for Directions

Date: September 25, 2025

To: City Council

From: City Solicitor

Wards: Ward 18 - Willowdale

REASON FOR CONFIDENTIAL INFORMATION

This report contains advice or communications that are subject to solicitor-client privilege. This report contains information regarding potential litigation.

SUMMARY

On March 9, 2018, the City received an official plan amendment and zoning by-law amendment application ("Application") for 202 Sheppard Avenue West ("Site") to permit the construction of a 6-storey mixed-use building containing 310 square metres of medical offices on the second floor and 1,039 square metres of residential uses from the third to sixth floor.

On November 8, 2024, the applicant appealed City Council's decision to approve the Application on October 10, 2024, to the OLT. A case management conference ("CMC") is scheduled for November 5, 2025.

The City Solicitor requires further directions for the upcoming OLT case management conference scheduled for November 5, 2025.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council adopt the recommendations contained in Confidential Attachment 1 to this report from the City Solicitor.

2. City Council authorize the public release of the confidential recommendations contained in Confidential Attachment 1, Confidential Appendix "A" and Confidential Appendix "B" to this report from the City Solicitor, if adopted by City Council.
3. City Council direct that all other information contained in Confidential Attachment 1 to this report from the City Solicitor is to remain confidential at the discretion of the City Solicitor, as it contains advice which is subject to solicitor-client privilege.

FINANCIAL IMPACT

There is no financial impact arising from the adoption of the Confidential Recommendations beyond what has already been approved in the current year's budget.

DECISION HISTORY

On March 9, 2018, the City received the Application to permit the construction of a 6-storey mixed-use building containing medical offices and residential uses at a maximum building height of 19.6 metres at 202 Sheppard Avenue West. Seven surface parking spaces were proposed at the rear of the building directly accessed from Sheppard Avenue West. The total gross floor area is 1,350 square metres (FSI 2.86 times the lot area). The Preliminary Report can be found at:

<https://www.toronto.ca/legdocs/mmis/2018/ny/bgrd/backgroundfile-113371.pdf>

On February 6, 2024, City Council approved the Application. On October 10, 2024, City Council voted in favour of Official Plan Amendment 701, OPA by-law 1043-2024, and Zoning by-law 1044-2024. The applicant appealed City Council's decision to the Ontario Land Tribunal ("OLT") on November 8, 2024. The Approval Report can be found at:

<https://secure.toronto.ca/council/agenda-item.do?item=2024.NY10.7>

COMMENTS

The City Solicitor requires further instructions on this matter. This report is about ongoing litigation before the OLT and contains advice or communications that are subject to solicitor-client privilege.

CONTACT

Ray Kallio, Solicitor, Planning and Administrative Law; Tel: (416) 397-4063; email: ray.kallio@toronto.ca

SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

1. Confidential Attachment 1 - Confidential Information
2. Confidential Appendix "A" - Confidential Information
3. Confidential Appendix "B" - Confidential Information